

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application. Claims 1-4 and 6-15 are now present in the application. Claims 1, 4, 9 and 10 are independent.

The Office Action dated March 23, 2009 has been received and carefully reviewed. Each issue raised in the Office Action is addressed below. Reconsideration and allowance of the present application are respectfully requested inasmuch as the instant amendment automatically places the application in condition for allowance.

Allowable Subject Matter

Claims 17 and 18 stand objected to as containing allowable subject matter subject to rewriting in proper independent form. Applicant appreciates this indication of allowable subject matter. Responsive thereto Applicant has incorporated the subject matter of claim 17 into independent claims 1 and 9 and has incorporated the subject matter of claim 18 into independent claims 4 and 10, automatically placing the independent claims in allowable form, as well as the claims dependent thereon.

Objection to the Title of the Invention

The Title of the Invention stands objected to for failing to be descriptive. Responsive thereto, the Title has been changed to "TERMINAL DEVICE, CENTER DEVICE AND SYSTEM FOR CONTROLLING AUDIO AND VIDEO DISTRIBUTION." Reconsideration and withdrawal of the objection are respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1-4 and 6-15 stand rejected under 35 U.S.C. § 102(b) as unpatentable over JP Pub. No. 06-261372 to Shigeru et al. ("Shigeru"). Applicant submits the Examiner has failed to establish a *prima facie* case of anticipation and respectfully traverse the rejection.

With regard to the rejection of claims 1-4 and 6-15, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant

respectfully submits that independent claims 1 and 9, and 4 and 10, have been amended to include the limitations of objected-to allowable claims 17 and 18, respectively, thereby automatically placing independent claims 1, 4, 9 and 10 into condition for allowance, along with dependent claims 2, 3, 6-8 and 11-15.

Conclusion

All objections and rejections raised in the Office Action having been properly traversed and addressed, it is respectfully submitted that the present application is in condition for allowance. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Notice of same is earnestly solicited.

Prompt and favorable consideration of this Amendment is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Paul T. Sewell, Registration No. 61,784, at (703) 205-8000, in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: May 20, 2009

Respectfully submitted,

By 

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